

### **REMARKS**

This responds to the Office Action dated July 5, 2006. Claim 1 is amended. Claims 1-26 are pending in this application.

#### **Reservation of the Right to Swear Behind References**

Applicant retains the right to swear behind any references which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the references are prior art.

#### **§102 Rejection of the Claims**

1. Claims 1-6, 8-12, 15-18, and 23-26 were rejected under 35 U.S.C. § 102(e) for anticipation by Kim (U.S. Patent No. 6,778,040). Applicant respectfully traverses the rejection.

Applicant cannot find in Kim any disclosure of, among other things, a printed circuit interconnect substrate residing on the hermetic side of the hermetic seal, a printed circuit interconnect substrate residing on the hermetic side of the hermetic seal; and one or more ceramic chip capacitors mounted on the printed circuit interconnect substrate, wherein a first end of each capacitor is electrically connected via printed circuit interconnect to the second end of an I/O conductor and a second end of each capacitor is electrically connected via the printed circuit interconnect to the metal case,

as recited in claim 1 and incorporated into claims 2-6, 8-12, 15-18 and 23-26.

The Office Action reads the insulating substrate 13 in figure 1 of Kim and the insulator 23 of figure 2 of Kim onto the printed circuit interconnect substrate recited in claim 1.<sup>1</sup> However, Kim only refers to items 13 and 23 in regard to insulating and therefore 13 and 23 are not a "printed circuit interconnect substrate."

Additionally, the Office Action states that "Kim discloses the substrate 13 or 23 residing on a side of the hermetic seal 21."<sup>2</sup> However, Applicant cannot find where Kim refers to a hermetic seal.

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<sup>1</sup> Office Action, pg. 2.

<sup>2</sup> Office Action, pg. 4.

Further, Applicant cannot find “a printed circuit interconnect substrate residing on the hermetic side of the hermetic seal,” as presently recited in claim 1. Because Kim does not refer to a hermetic seal, Applicant cannot find which side would be a hermetic side. Thus, Kim does not show the identical invention in as complete detail as in claim 1, nor are the elements arranged as required by claim 1.

*Regarding claims 25 and 26:*

Claim 1 recites, among other thing, “wherein the I/O conductors pass through a hermetic seal such that a first end of the I/O conductors resides on a non-hermetic side of the hermetic seal and a second end of the I/O conductors resides on a hermetic side of the hermetic seal within a metal case of the apparatus.” Claim 25 recites “wherein the I/O conductors are conductive traces.” Kim does not include any disclosure where such I/O conductors are conductive traces, but instead figures 1-15 referenced in the Office Action all include leads and through holes (see e.g., col. 7 lines 3-16 of Kim).

Applicant respectfully requests reconsideration and allowance of claims 1-6, 8-12, 15-18 and 23-26.

*§103 Rejection of the Claims*

2. Claims 19-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim (U.S. Patent No. 6,778,040) in view of Brendel et al. (U.S. Patent No. 6,529,103, “Brendel”). Applicant respectfully traverses the rejection.

Claims 19-22 ultimately depend on base claim 1. As discussed above, Applicant believes claim 1 to be allowable at least for the reason that Kim does not teach or suggest all of the elements recited in the claim. The addition of Brendel fails to disclose the missing elements.

Additionally, proper motivation is lacking to combine Kim with Brendel. Kim refers to using chip capacitors having electrodes on one end and the other end.<sup>3</sup> Brendel refers to a coaxial ceramic feedthrough filter capacitor and a discoidal capacitor,<sup>4</sup> and that the electrode patterns of both the first and second sets of electrode plates do not extend to the outer diameter of the feedthrough capacitor.<sup>5</sup> Applicant submits that proper motivation is lacking to combine the

<sup>3</sup> Kim, col. 2 lines 48-53 and lines 64-67.

<sup>4</sup> Brendel, col. 1 line 66-67 and col. 2 lines 16-17.

<sup>5</sup> Brendel, col. 11 lines 33-38.

chip capacitors of Kim with the Brendel device which already has coaxial feedthrough capacitors. Applicant respectfully requests reconsideration and allowance of claims 19-22.

3. Claims 13-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim (U.S. Patent No. 6,778,040) in view of Andresakis et al. (U.S. Patent No. 6,657,849, "Andresakis"). Applicant respectfully traverses the rejection.

Claims 13-14 depend on base claim 1. As discussed above, Applicant believes claim 1 to be allowable at least for the reason that Kim does not teach or suggest all of the elements recited in the claim. The addition of Andresakis fails to disclose the missing elements.

Additionally, proper motivation to combine Kim with Andresakis has not been established. The Office Action concedes that Kim does not disclose the capacitors having a dielectric breakdown voltage of about 1200 volts, or within a range of about 200 to 1500 volts.<sup>6</sup> The Office Action further states that it would have been obvious ... to have a teaching of Andresakis et al. employed in the apparatus of Kim in order to provide a high quality ceramic EMI/RFI filter capacitor applied in an electronic device.<sup>7</sup> However, neither Kim nor Andresakis teach or suggest that a capacitor with such breakdown voltages results in a higher quality EMI/RFI filter capacitor for the devices they describe.

Applicant respectfully requests reconsideration and allowance of claims 13-14.

4. Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim (U.S. Patent No. 6,778,040) in view of Chee (U.S. Patent No. 6,657,133). Applicant respectfully traverses the rejection.

Claim 7 depends on base claim 1. As discussed above, Applicant believes claim 1 to be allowable at least for the reason that Kim does not teach or suggest all of the elements recited in the claim. Applicant respectfully requests reconsideration and allowance of claim 7.

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<sup>6</sup> Office Action, pg. 4.

<sup>7</sup> Office Action, pg. 5.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6965 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5 day of October 2006.

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Signature

